

**REMARKS**

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

**Disposition of Claims**

Claims 1-20 are pending in this application. Claims 1, 11, 18, and 20 are independent. Claims 2, 12, and 19 have been canceled by this reply. The remaining claims depend, directly or indirectly, from claims 1, 11, and 18.

**Objection(s)**

The specification and drawings are objected to by the Examiner. The specification and drawings have been amended in this reply to clarify the present invention recited. The Applicant asserts that no new matter has been added by aforementioned amendments. Accordingly, withdrawal of this objection is respectfully requested.

**Rejection(s) under 35 U.S.C § 112**

Claims 1-20 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Claims 2, 12, and 19 have been canceled by this reply, thus the rejection with respect to claims 2, 12, and 19 is now moot. With respect to claims 1, 3-11, 13-18, and 20, his rejection is respectfully traversed.

The present invention relates to a method of creating Java Embedded Server (JES) bundles using tools provided within a Java Embedded Server (JES) module. Specifically, the JES module resides within an Integrated Development Environment (IDE) (see, *e.g.*, Figure 7 and accompanying text on page 6-7 of the specification). One of the tools used to create JES bundles is a Java Embedded Server Manifest Generator (shown in Figure 10). The Manifest Generator is used to create and edit manifest files which are subsequently used to create a JES bundle. A JES bundle is a combination of several manifest files.

With respect to the 35 U.S.C. § 112, first paragraph rejection, Applicant respectfully notes that the invention is not “Java Embedded Server” (JES); rather, the invention involves a module within an IDE that is used to create and edit manifest files which are subsequently used to easily generate JES bundles. These JES bundles generated by the invention may be subsequently used by a JES, but JES *per se* is not the invention. Accordingly, there is no need to enable JES or show that Applicant has possession of JES. Rather, Applicant respectfully asserts that the module integrated into the IDE that is used to create/edit JES bundles is thoroughly enabled in the present specification.

With respect to the 35 U.S.C. § 112, second paragraph rejection, the Examiner asserts that the claims are indefinite because the term “Java Embedded Server” is not defined in the specification and that “Java Embedded Server” was not known to those with ordinary skill in the art at the time the present application was filed. Applicant respectfully disagrees with the Examiner’s assertion that “Java Embedded Server” was not well known in the art at the time of filing the present application. The concept of

“Java Embedded Server” was known since at least 1998 (*i.e.*, three years before the filing of the present application). The Applicant’s assertion is supported by the enclosed “Declaration of Syed Ali under 37 C.F.R. §1.132” (“Declaration”).

Specifically, as recited in the attached white paper, Java Embedded Server is an application server designed for embedded software that allows a device to dynamically install and execute a Java application. Thus, the interpretation listed on page 4 of the office action where the Examiner interprets JES as a Java implemented embedded functionality is a broader interpretation than that of the present invention. Further, from the enclosed white paper, it is clear that the acronym ‘JES’ would only be interpreted as “Java Embedded Server” to one with ordinary skill in the art, even though a trademark was not filed for the acronym. The Applicant’s assertion is supported by the attached Declaration.

#### **Rejection(s) under 35 U.S.C § 103**

Claims 1-8, 10-15, and 17-20 stand rejected under 35 U.S.C. § 103 as obvious over U.S. Patent No. 6,633,888 (“Kobayashi”) in view of U.S. Publication 2002/0103927 (“Parent”). Claims 1, 11, and 18 have been amended in this reply to clarify the present invention recited. To the extent that this rejection may still apply to the amended claims, the rejection is respectfully traversed.

As noted above, the present invention relates to a module integrated into an IDE that is used to easily create and edit JES bundles. Claims 1, 11, and 18 have been amended to include the limitations of claim 2, 12, and 19, respectively. Specifically, claims 1, 11, and 18 have been amended to include the limitation that the module used in

the creation of JES bundles is integrated into an IDE. The IDE allows the module to be used more easily by, for example, providing a graphical user interface which may be used to create/edit manifest files and JES bundles (see, *e.g.*, Figure 10).

Kobayashi discloses creating and testing object oriented components using visual programming systems (*i.e.*, a visual builder). With respect to independent claim 1, the Examiner admits that Kobayashi does not disclose or suggest the creation of JES bundles. Further, Parent does not disclose that which Kobayashi lacks.

In contrast to the present invention, Parent discloses using a Java applet to communicate with a Java servlet. The Examiner references paragraphs [0096]-[0104] in Parent and asserts that Parent discloses communication with embedded servers to provide Java components derived from Java bundles or Java archives. However, the aforementioned paragraphs of Parent do not disclose or suggest any type of JES bundle or JES. Moreover, the Java applet or Java servlet (*i.e.*, EmitServlet2.java, Java Servlet Engine, etc.) discussed in Parent do not relate to embedded servers; rather Parent discloses creating class files (see, *e.g.*, paragraph [0097] of Parent) using Java servlets and applets. Parent does not disclose the explicit use of a module with tools to create JES bundles. Therefore, one skilled in the art would not combine Parent and Kobayashi to achieve the claimed invention, as recited in independent claim 1.

In view of the above, Kobayashi and Parent, whether considered separately or in combination, fail to show or suggest the present invention as recited in independent claim 1, as amended. Further, independent claims 11, 18, and 20 contain similar allowable subject matter (*i.e.*, the use of a module to create Java Embedded Server bundles). Thus, the independent claims are patentable over Kobayashi and Parent. Dependent claims 2-

10, 12-17, and 19-20 are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

**Conclusion**

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 14695.007001; P5505).

Respectfully submitted,

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